

1
2
3
4
5
6
7
8
9
10 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
11 IN AND FOR KING COUNTY

12 REBECCA BOMANN

13 Plaintiff,

14 vs.

15 TUKWILA SCHOOL DISTRICT #406, a
16 municipal corporation;

17 Defendant.
18
19

NO.

COMPLAINT FOR DAMAGES

20 The plaintiff, for cause of action against the defendant, and each of them, complains
21 and alleges as follows:
22

23 **I. STATUS OF PARTIES, JURISDICTION AND VENUE**

24 1.1 The plaintiff is, and at all times material hereto was, a resident of King County,
25 state of Washington.
26

27 1.2 The defendant, Tukwila School District # 406, at all times material hereto, is a
28 municipal corporation and public agency operating in King County, Washington and organized
29 under the laws of the State of Washington.
30

1 1.3 The Plaintiff presented a tort claim more than 60 days ago. The Defendant
2 refused to respond in good faith to the Tort Claim necessitating this lawsuit.

3
4 1.4 This Court has subject matter jurisdiction over this matter.

5 1.5 Venue is proper in the Superior Court of King County because the defendant is
6 located in said county, and all conduct complained of herein took place in King County, State
7 of Washington.
8

9
10 **II. FACTS**

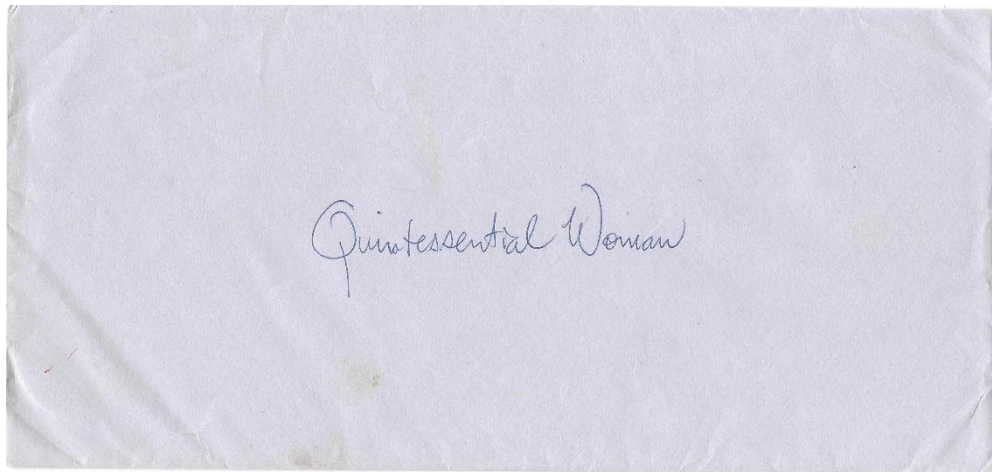
11 2.1 During the school years of 1989-1990 and 1990-1991, Rebecca Bomann was
12 the subject of repeated sexual harassment, inappropriate sexual communication, and sexual
13 grooming by Steve Escame, a teacher and coach at Foster High School at the South-Central
14 School District, now known as the Tukwila School District.
15

16 2.2 Escame's targeting of Ms. Bomann began in the fall of 1989, when Ms. Bomann
17 was a freshman at Foster High School, and continued until Escame retired in the spring of
18 1991.
19

20 2.3 In high school, Ms. Bomann's goal was to create a successful college-prep
21 academic track, with a focus on her preferred subject, language arts. Since Foster High School
22 was a small school and not known for academic excellence, students wanting to build a college-
23 prep track needed to not only do well in their classes, but work closely with those teachers who
24 taught honors courses. There was only one Honors 9th Grade English class, and Escame was
25 its teacher. Escame was also the sole teacher of all journalism classes and the sole coach of
26 the speech/debate team. Anyone wishing to build college-prep track focusing on language arts
27 had to go through Escame.
28
29
30

1
2 2.4 Ms. Bomann was an avid debater and joined the speech/debate team in October
3 of her freshman year. The team had regular debate prep and training, research, rehearsal,
4 tournaments, and other events around Puget Sound, some events running overnight or through
5 the weekend. This experience all came at a cost: the unwanted affection of a 53 year old man.
6

7
8 2.5 Escame quickly developed pet names for Ms. Bomann, his favorite being
9 “Quintessential Woman,” or Q.W. for short. Escame’s nick-name for himself was “Old Man,”
10 or O.M. for short. Escame’s use of pet names was always paired with comments and innuendos
11 that implied her sexual appeal to him.
12

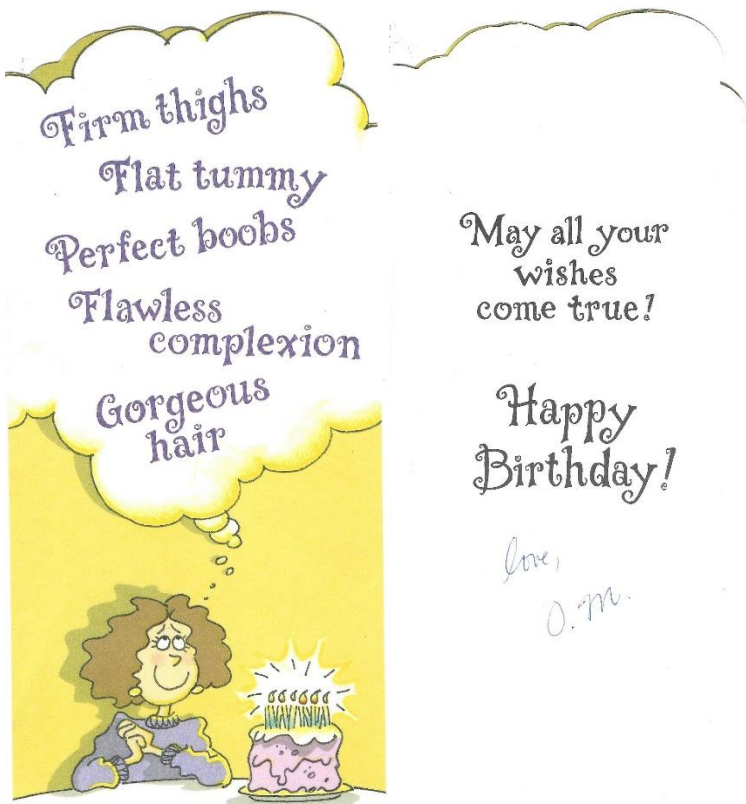


22 2.6 Escame also began attending Ms. Bomann’s soccer and later softball practices.
23 Escame acknowledged that he would not otherwise have attended these games had she not
24 been playing. Escame made comments to Ms. Bomann that she had great legs and looked
25 fantastic in the tight pants that softball players wore. At softball games, Escame strategically
26 stood facing home plate in such a way as to have a direct view of her backside.
27
28

29 2.7 Escame’s attendance at her games made Ms. Bomann extremely
30 uncomfortable.

1 2.8 Due to Escame's regular inappropriate comments, Ms. Bomann made it a point
2 to never wear shorts or tight clothing while at school ever again.

3
4 2.9 Escame got bolder as time went on. Escame developed more nick-names for
5 Ms. Bomann and frequently wrote notes to Ms. Bomann using sexual references. For her 15th
6 birthday, Escame wrote her a card that wished her "firm thighs" and "perfect boobs."
7
8
9



10
11
12
13
14
15
16
17
18
19
20
21
22
23
24 2.10 Escame had originally planned to retire at the end of the 1989-90 school year.
25 However, he was not willing to give up his pursuit of Ms. Bomann and stayed on an extra year,
26 a decision he told Ms. Bomann several times was due to her.
27

28 2.11 Escame continued his suggestive behavior, words, and attention towards Ms.
29 Bomann during the 1990-91 school year, with regular comments about her attractiveness,
30

1 sexual appeal, and her body. For Valentine's Day, Escame crafted a valentine heart that said
2 "I wuv you" and stuck it in her locker.
3

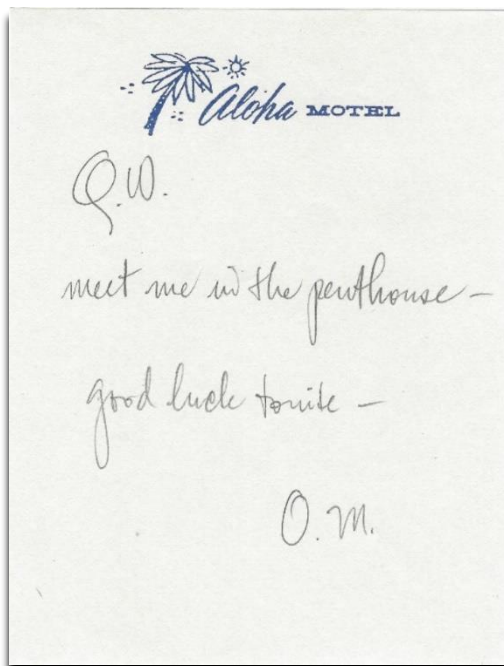


14 2.12 Escame also gave Ms. Bomann gifts, including a mix tape of Gloria Estefan
15 ballads, which he liked to play while in the car to and from speech contests.
16

17 2.13 Later during Ms. Bomann's sophomore year, the speech/debate team went to
18 an annual debate tournament at Western Washington University. The team stayed at the Aloha
19 Motel in Bellingham, as they did every year. While there, Escame wrote a note to Ms. Bomann
20 that read, "Q.W. meet me in the penthouse – good luck tonite – O.M."
21

22
23
24 ///

25 ///
26
27
28
29
30



2.14 Because Aloha Motel did not have a penthouse, Ms. Bomann assumed that Escame meant his room. Ms. Bomann did not accept his invitation.

2.15 The summer after her sophomore year, Ms. Bomann attended a debate camp at Baylor University, which she had learned of through Escame. A day or two before leaving for Texas, Escame asked her to come to Thorndyke Elementary, where an event was being held for retiring teachers in the gymnasium, so that he could give her something for her trip. Ms. Bomann assumed she would be safe, as there would be many other people around. Ms. Bomann walked over to Escame, who was standing in the back of the gymnasium, and thanked him for enabling her to attend the camp in Texas. Escame then leaned forward and kissed her on the lips - a sexual assault.

2.16 Ms. Bomann hoped that she would be rid of Escame now that he was retired. However, while she was at Baylor, Escame sent her a note discussing the kiss and "fantasiz[ing] that you wish it could have been more - no I wish..."

Quintessential Woman,
still fantasizing over the kiss. ^{his mind}
even though it was merely an "affectionate
thank you" from you, it meant a lot to
me, and a week and a half later it
lingers in my mind, and I fantasize
that you wish it could have been more—
as I wish. . .

I really appreciate you keeping my
feelings about/for you within yourself.
I remember too much — like the time Gloria
Estefan starting singing on the radio while we
were in the van on the way home from a
speed/debate contest. I looked in the rear
view mirror and you were looking right at me.

You know I'll never forget you. . . I couldn't
write any of it in your annual. I started

doing silly things. (Pyramid, Thistle) (Roses/
Jubilee) and that. I thought the "thanks"
was adequate. You know how I feel. . .

1. keep the card and throw this away
2. call when you get back, and if
you're not afraid, we'll lunch.

Love,
Old man

1 2.17 Escame's inappropriate behavior did not go unnoticed by others at the school.
2 A fellow member of the debate team was privy to many inappropriate comments and
3 referenced Escame's advances in letters to Ms. Bomann. Ms. Bomann's 9th grade boyfriend
4 and 10th grade boyfriend noticed and expressed their disgust at Escame. Mr. Green, a guidance
5 counselor at Foster High, had at least one conversation in which Escame referred to Ms.
6 Bomann in a sexual manner. In fact, rumors about the sexualized behavior of both Mr. Escame
7 and his son were rampant within the District for many years, and Ms. Bomann was not the only
8 student he had sexually harassed.
9

10
11 2.18 Only two years before Ms. Bomann started at Foster High School, Escame was
12 disciplined for behaving in a sexually suggestive manner towards young female students. As
13 a result, the District forbade Escame from traveling alone with students on overnight trips.
14 However, this did little to stop Escame's sexual advances.
15
16

17 2.19 Up until her 9th grade year, school had been Ms. Bomann's favorite place to be.
18 At Foster High School, it quickly became her least favorite place. Once outgoing, she became
19 withdrawn, wanting only to get far away from Foster High. She felt she could no longer trust
20 any of her teachers. Escame had made her feel ashamed, dirty, and afraid.
21

22 2.20 Ms. Bomann felt she could tell no one. Escame was an extremely popular
23 teacher at Foster High and beyond. She was a 14-year-old girl, he was an experienced and
24 respected teacher and coach. Escame taught the courses she needed to get into college and had
25 the power to ruin her college track if she said anything. Further, Foster High had no policies
26 addressing sexual harassment and had failed to adequately address inappropriate behavior in
27 the past.
28
29
30

2.21 Ms. Bomann had no other option than to bury her feelings, pretend that everything was okay, and continue to work towards her goal of getting into college. However, the effects were permanent. Escame made Ms. Bomann so uncomfortable that she developed an intense need to keep physical distance from other people, aside from her immediate family. She refused to seek help from anyone ever again, driving her to overwork herself in high school and college, and causing her to lose the benefits of mentorship in the early stages of her career. She experiences recurring nightmares and anxiety around male authority figures.

2.22 Although she thought she was long done with Escame, he reappeared in her life when he tagged her in a Facebook post in December 2017, praising her as one of his best and most notable students.

III. CAUSES OF ACTION

A. Negligence

3.1 Plaintiff reallages paragraphs 1.1 through 2.22 as if set forth fully herein.

3.2 Defendant owed a duty to Plaintiff to reasonably ensure her safety as a student of Foster High School.

3.3 Defendant failed to exercise reasonable care in ensuring Plaintiff's safety by, among other actions:

a. Failing to properly hire, retain and supervise Escame given his known sexual propensity towards students;

b. Failing to adopt adequate policies and procedures to address sexual misconduct by school employees;

c. Failing to properly discipline Escame for his actions towards Plaintiff;

and

1 d. Failing to report Escame's behavior pursuant to RCW
2 26.44.030.

3
4 3.4 Defendant knew or should have known that Escame was engaging in sexually
5 inappropriate behavior towards Plaintiff. Defendant did nothing to either address past
6 behaviors or prevent further harm to Plaintiff.

7
8 3.5 As a result of Defendant's inaction, Plaintiff has suffered damages including
9 psychological and emotional harm as a result of the Defendant's negligence, negligent
10 infliction of emotional harm, negligent hiring, negligent retention, and negligent supervision
11 and all such other acts of negligence.
12

13 **B. Violation of RCW 9.68A**

14 3.6 Plaintiff realleges paragraphs 1.1 through 3.5 as if set forth fully herein.

15
16 3.7 Escame's actions towards Plaintiff violate Chapter 9.68A RCW, the Sexual
17 Exploitation of Children Act, including RCW 9.68A.090.

18 3.8 Escame's actions towards Plaintiff were done with the knowledge of
19 Defendant.
20

21 3.9 Escame was an agent acting within the scope of his employment based upon
22 the District's failure to take corrective action and condoning his conduct as his principal. As
23 the result of Defendant's failure to address Escame's sexual advances, Plaintiff has suffered
24 damages including psychological and emotional harm.
25

26 **C. Sexual Harassment**

27
28 3.10 Plaintiff realleges paragraphs 1.1 through 3.9 as if set forth fully herein.
29
30

1 3.11 The District's actions and omissions constitute violations of the Washington
2 Laws Against Discrimination WLAD, RCW 49.60.180 and RCW 28A.85.010, recodified as
3 RCW 28A.640.010.
4

5 3.12 As a result of Defendant's actions and omissions, including discrimination,
6 Plaintiff has suffered damages including psychological and emotional harm as a result of the
7 Defendant's conduct.
8

9
10 **IV. PRAYER FOR RELIEF**

11 WHEREFORE, plaintiff prays for judgment against the defendant, and each of them,
12 as follows:
13

- 14 1. For recovery of all economic and non-economic damages occasioned by the
15 negligence of the Defendant, in such sums of money as will be established and proven at the
16 time of trial herein;
17
18 2. For recovery of all litigation costs and expenses incurred herein;
19
20 3. For recovery of reasonable attorney's fees incurred herein; and
21
22 4. For such other and further relief as to the court seems just and equitable on the
premises.

23 DATED this 14TH day of January, 2019.
24

25 VAN SICLEN, STOCKS & FIRKINS

26
27 By: /s/ Tyler K. Firkins
28 Tyler K. Firkins, WSBA #20964
29 Attorney for Plaintiff
30